



# Scenic Easements Deed Restrictions



Scenic easements on the land in the Moyaone Reserve as well as some surrounding properties were established in the 1960's to protect the land from development, thus preserving the historic view from Mt. Vernon across the Potomac River in Virginia.

The easements are deeded to the federal government, and monitored and enforced by the National Park Service in consultation with the Moyaone Association and other interested parties.

The provisions below constitute the core of the scenic easements. Details may vary from property to property.

The restrictions hereby imposed upon the use of the within described lands, and the acts which the fee simple owners thereof covenant to do and refrain from doing upon their said lands in connection therewith, are and shall be as follows:

- The land shall not be used for any professional or commercial activities except such as can be and are in fact conducted from a residential dwelling without alteration of the dwelling.
- No trailer shall be used on the land as a substitute for a residential building or other structure except on a temporary basis, not to exceed one year.
- The lands shall not be used as a site for any of the following: airports, hotels, taverns, dancehalls, apartment houses, flats, boarding homes, cemeteries, schools, nurseries, golf courses, hospitals, churches, sand, gravel or clay pits, sawmills, skeet or golf driving ranges, commercial swimming pools, tourist homes or cabins, trailer camps, entertainment centers, dumps, junkyards, greenhouses not attached to dwellings. Nothing herein, however, shall be deemed to prohibit the use of residential dwellings for purposes which can be and are in fact conducted therein without alteration of the dwelling.
- The land shall not be used as a site for any major public utilities' installations such as electric generating plants, electric power substations, high tension electric power transmission lines, gas generating plants, gas storage tanks, water storage tanks or reservoirs, sewage treatment plants, microwave relay stations, or telephone exchanges. Nothing herein shall, however, be deemed to prevent the construction or maintenance on, over, or under the land of facilities usual to a residential neighborhood such as telephone and electric lines and water mains.
- No advertising signs or billboards shall be displayed or placed upon the land, with the exception of professional name plates and signs not larger than two square feet advertising home occupations or products or the sale or lease of the land.
- No mining or industrial activity shall be conducted on the land.
- No part of any of the lands is to sold or leased in lots smaller than five acres, or otherwise conveyed or divided into lots smaller than five acres.

- No building shall be erected, altered, placed or permitted to be built or remain on the said lands, except that on each five-acre parcel thereof there is permitted to be one detached single dwelling and such guesthouse, garage, stable or other outbuildings which may be required for the need of the owner or occupant of such residence. In no case is any building to be constructed on the lands described herein which, when completed, is to be used for any of the purposes which are expressly prohibited in this instrument.
- No tree larger than six inches in diameter and thirty feet in height shall be cut down without the written permission of the Secretary of the Interior or his authorized representative. Plans for the removal of the trees for the clearing of homesites shall be submitted to the Secretary of the Interior or his designated representative for approval. In passing upon such plans, the Secretary of the Interior or his designated representative shall take in to consideration not only the needs of the landowner, but also the extent of clearing around similar homesites in the vicinity.
- Permission need not be obtained for the removal of trees by or upon advice of the appropriate utility company or other organization for the purpose of protecting utility lines or water or sewer mains. Likewise, permission need not be obtained for removal of dead, diseased, or injured trees when such removal is necessary for reasons of safety.
- Approval of a requested action shall be deemed to have been granted if the Secretary of the Interior or his designated representative has not responded to a written request within thirty days.
- No dump, of ashes, trash or any unsightly offensive material shall be placed upon the land except that in eroding areas of a drainage system where surface water runoff is destroying the natural ground cover, suitable heavy fill may be so placed as to control and prevent further erosion, provided said fill is covered by arable soil or humus.
- It is understood and agreed that the imposition of the covenants and restrictions set forth herein are in no way intended to nullify, supersede, or amend any covenants or restrictions which have heretofore or which may hereafter be set upon said lands.
- It is also understood and agreed that the authority of the Secretary of the Interior in passing upon homesite clearing shall be used to prevent clearing that would materially affect the natural wooded appearance of the area, but that the authority shall not operate to deny the owner a suitable clearing or clearings totaling about one-half acre on each five acre tract for a house, lawn, garden and other such approved uses.

Nothing herein shall be deemed to affect any mortgage, lien, or other interest in the lands described herein which was in existence at the time of the recordation of this instrument in the county lands records.

The lands upon which a scenic easement is imposed, hereinabove referred to and to which the provisions of this instrument apply, are situated in the County of Prince George's/Charles, State of Maryland.

Recorded with the National Park Service